

**LOUISIANA DEVELOPMENTAL DISABILITIES COUNCIL
OCTOBER 17, 2013
MEETING SUMMARY**

Holiday Inn South
Baton Rouge, Louisiana

8:30 A.M.

MEMBERS PRESENT

Sam Beech
Susan Berry, OPH/CSHS
Laura Brackin, OCDD
Brandon Burris, GODA
Brenda Cosse'
Vickie Davis
Hugh Eley, OAAS
Rocky Fuselier
Reginald Garey
Kristopher Hebert
Kay Marcel
Mark Martin, LRS
Terry McFillen
Chasedee Noto
Stephanie Patrick, AC
Deshae Lott Sadow
Erin Smith
Patsy White
Phil Wilson, HDC
Lilian Wise

STAFF PRESENT

Shawn Fleming
Paige Freeman
Robbie Gray
Brandi Jones
Derek White
Sandee Winchell

MEMBERS ABSENT

Donna Breaux
Stephen Osborn, DOE
Bambi Polotzola
Monica Simmons

GUESTS PRESENT

Margaret McGarity, GOEA
Paula Moreau
Jeff Sadow, guest of Deshae Sadow
Alice Blundell, guest of Deshae Sadow
Wesley Cagle, South Central Louisiana
Human Services Authority
James Sprinkle, Families Helping
Families at the Crossroads
Scott Meche, Capital Area Human
Services District
Rebecca Ellis, Northshore Families
Helping Families
Lindsey Hebert, Transcriptionist
Pam Sund, OCDD
Ted Kleamenakis, OCDD
Paul Rhorer, OCDD
Beth Jordan, OCDD
Tiffany Dickerson, OCDD
Chandra Walker, guest of Reginald Garey
Angela Henry Wilklow, Jefferson Parish
Human Services Authority
Demetra Dartiler, OCDD
J. Egan Jones, Central La. Human
Services District

SUMMARY OF JULY MEETING

Kay Marcel requested a motion to accept the summary from the July meeting with corrections made by Deshae Lott Sadow as follows:

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Chairperson's Report
Ms. Beech stated that the Council will participate in the Department of Health and Hospitals (DHH) Advisory Council on managed care for long-term supports and services. Other discussion points with the DHH Secretary included the Office for Citizens with Developmental Disabilities (OCDD) Systems Transformation, the Special Education Center continuing to recruit residents, waiver assessments to add high-risk categories for determining nursing home hours, and the Money Follows the Person Grant.
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HEALTH/EDUCATION/EMPLOYMENT COMMITTEE
The committee recommends funding the proposal for the Supported Employment Mentoring Model.

The committee discussed Louisiana's ~~chese~~ choice to not participate in Medicaid Expansion and how this will affect people with developmental disabilities.

Motion passed. Motion to accept the summary of the July Council meeting with corrections made by Val Hiser, seconded by Brenda Cosse', passed without objection.

CHAIRPERSON'S REPORT – Kay Marcel

Ms. Marcel participated on a conference call to discuss the Advocacy Conference that the Council is sponsoring on October 29th.

September 11th, Ms. Marcel participated in the Orientation for new Council Officers.

Ms. Marcel attended a meeting on September 27th regarding the OCDD System Transformation. The main topic was the waiver waiting list and possible changes to how the list is managed. The group is collecting information on how other states manage waiver waiting lists.

Ms. Marcel participated on a conference call regarding the state's proposal to change the Medicaid Purchase Plan. The coalition includes representatives from the Advocacy Center, The Arc of Louisiana, Families Helping Families, People First, Southwest Independent Living Center and AARP of Louisiana.

Ms. Marcel and Sandee Winchell met with DHH Secretary Kathy Kliebert and Laura Brackin to discuss the following:

- DHH's FY 2015 budget request submitted to the Division of Administration (DOA) includes funding for 200 additional New Opportunities Waiver (NOW) slots
- DHH's plan to use 165 Children's Choice slots this fiscal year to provide Applied Behavioral Analysis (ABA) for children on the waiting list who are Medicaid eligible.
- Possible legislation to remove rate protection for ICFs/DD, nursing homes and pharmacies that were included in a proposed constitutional amendment in 2013 and would go into effect next year pending voter approval. Secretary Kliebert indicated DHH opposed the rate protections and her position has not changed, however she would have to confirm this position with the Governor.
- The lack of capacity to serve individuals with significant medical or behavioral needs or dual diagnosis in waiver programs. OCDD is working on a process to tie increased rates for the skills needed to serve individuals with more challenging needs rather than basing rates simply on someone's diagnosis.
- DHH is working toward implementing the Electronic Verification Program and is trying to execute a contract for this service.
- The continuing disparity across the Districts and Authorities' Individual and Family Support budgets and how that results in unequal access for individuals and families based on where they live in the state. DHH is not accepting any budget cuts to the Individual and Family Supports program from districts and authorities.

Ms. Marcel and Ms. Winchell met with Lois Simpson, Director of the Advocacy Center, on October 4th to discuss pursuing continued funding streams for the Supported Independent Living Ombudsman Program.

Ms. Marcel asked Brenda Cosse', Sam Beech, Brandon Burris, Rocky Fuselier and Patsy White to serve on the Membership Committee.

The Council has a vacant position that needs to be filled as soon as possible. Ms. Marcel requested the Membership Committee be granted authority to send their recommendation for a candidate from the Baton Rouge area to the Governor's office instead of waiting for the full Council's approval at the January meeting. The committee's recommended candidates for anticipated vacancies in the spring will go before the Council in January.

MOTION PASSED. Motion to grant the membership committee the authority to select a candidate from the Baton Rouge region and submit the candidate's name to the Governor made by Kris Hebert, seconded by Val Hiser, passed without objection.

EXECUTIVE COMMITTEE

The Executive Committee recommends accepting the additions to the Inclusive Education and Self-Determination Position Papers.

MOTION PASSED. Motion to accept the additions to the Inclusive Education and Self-Determination Position Papers made by Kris Hebert, seconded by Val Hiser, passed without objection.

The Executive Committee met on July 29th to consider signing on to a letter that would be sent to Medicaid Director Ruth Kennedy with copies to DHH Secretary Kliebert and the Centers for Medicare and Medicaid Services (CMS) asking that proposed changes to the Medicaid Purchase Plan not be implemented. The letter was initiated by the Advocacy Center and other organizations.

The Executive Committee considered the Council sponsoring a one day Advocacy Leadership Conference on October 29th. The conference expenses can be covered by the LaCAN and LaTEACH contracts.

The Executive Committee met on September 11th and selected Paula Moreau, from Region 2, to submit to the Governor for appointment to the Council. Ms. Moreau had been interviewed by the Membership Committee last fall.

The Executive Committee recommends the following Legislative/Advocacy Agenda recommended by LaCAN, LaTEACH, Families Helping Families, and People First:

- Fill existing vacant slots in all DD Waivers
- Funding for additional 200 NOW Slots
- Restore cuts to Individual and Family Support Program
- Restore cuts to Families Helping Families
- Remove Rate Protection for ICFs/DD, Nursing Homes, Pharmacies and Medical Transportation Providers
 - Legislation passed in 2013; pending approval of constitutional amendment
- The Act 378 Sub-Committee recommended advocating to restore funding to the Community Care Resources program in the Office of Behavioral Health (OBH).
- Minimum Foundation Program (MFP) Funding Formula
 - Based on needs
 - Equitable across traditional and charter schools

- Pupil Progression
 - Every child has the opportunity to exit with a diploma
 - Assessments are sensitive enough to measure the full spectrum of achievement
 - Letter to Superintendent John White (November 5, 2013)
 - Webinar: Rethinking Louisiana’s Accountability System and Diploma Pathways (November 15, 2013)

- School Performance Scores
 - Accountability and assessment process that recognizes and measures progress on IEP goals and objectives

- The Health/Education/Employment committee also recommends advocating for the textbook adoption committee and process to enable the timely receipt of accessible instructional material to be maintained.

MOTION PASSED. Motion to accept the Legislative/Advocacy Agenda as stated above and include restoration of funding to the Community Care Resources program and maintaining the processes that ensure timely receipt of accessible instruction materials made by Val Hiser, seconded by Sam Beech, abstentions by Laura Brackin and Brandon Burris, passed without objection.

The Executive Committee recommends adoption of the Council’s Legislative Action Plan which outlines how Council members are to engage in advocacy and legislative action.

MOTION PASSED. Motion to accept the Council’s Legislative Action Plan as presented made by Val Hiser, seconded by Chasedee Noto, abstention by Hugh Eley, passed without objection.

Ms. Marcel presented a certificate to Val Hiser for her five years of service on the Council and to Laura Brackin for her nine months of service on the Council. She also presented Sam Beech with a plaque recognizing her four years of leadership and service as the Council Chairperson.

EXECUTIVE DIRECTOR’S REPORT – Sandee Winchell

Council members were encouraged to register for the 2013 Advocacy Conference and to reach out to others in their regions to participate.

Ms. Winchell is serving on DHH's Advisory Committee on Managed Long-Term Supports and Services and requested anyone submitting comments and recommendations (to longtermcare@la.gov) to consider copying her so she may represent the Council well.

The deadline for applying for the Partners in Policymaking class has been extended until October 31st.

The Families Helping Families Centers have received cuts from the Council and other contractors, causing some FHF Centers difficulty with maintaining the same level of services. Ms. Winchell will host a meeting of the Council members representing the various agencies that fund Families Helping Families to discuss a holistic approach of funding Families Helping Families.

New Council member orientation will begin at 4:00 p.m. on January 14th, the day before the regular two day Council meeting. All Council members are encouraged to participate.

Since more and more people are using social media for their information we have increased our posting on the Council's Facebook page, aiming for two posts per day. Ms. Winchell encouraged members to "like" the Council's, LaCAN's and LaTEACH's Facebook pages.

The Council website has a new section under "Public Policy and Advocacy" called Advocacy 101. It has a wealth of information for both people who don't understand the legislative process and people who have more advanced knowledge.

BUDGET REPORT – Shawn Fleming

Mr. Fleming shared the Council expenditures through September 2013 and the final Council budget report from state fiscal year 2013.

COMMITTEE REPORTS

SELF DETERMINATION/COMMUNITY INCLUSION/HOUSING COMMITTEE – Deshae Lott Sadow

The Committee reviewed two proposals submitted in response to the Council's Natural Supports Solicitation of Proposals (SOP). The Committee recommends the Council not fund either proposal and not reissue the SOP. The proposals did not directly respond to the SOP and there appears to be wide discrepancy in the definition of natural supports.

MOTION PASSED. Motion that the Council not fund either Natural Supports proposal made by Kris Heber, seconded by Val Hiser, passed without objection.

The second recommendation is for Council staff to write a Position Paper defining and explaining Natural Supports as the Council understands it.

MOTION PASSED. Motion for Council staff to write a Position Paper defining and explaining Natural Supports made by Stephanie Patrick, seconded by Brenda Cosse', passed without objection.

The third recommendation is for the Council to approve funding of the Advocacy Center's work plan submitted in response to the Council's Solicitation of Information (SOI) to establish a structure to identify existing pro-bono legal representation and

develop training materials for attorneys representing adults who are deemed vulnerable in the amount of \$20,000.

MOTION PASSED. Motion for the Council to approve funding of the Advocacy Center's work plan to establish a structure for pro-bono legal representation for adults who are deemed vulnerable in the amount of \$20,000 made by Chasedee Noto, seconded by Kris Hebert, abstention by Stephanie Patrick, passed without objection.

The fourth recommendation is for the Human Development Center (HDC) to research the issue of young adults in Louisiana with Autism Spectrum Disorder deemed high functioning and not receiving developmental disability services. HDC would compare Louisiana to national trends regarding the levels of support received and isolation after graduating from high school.

MOTION PASSED. Motion for the Human Development Center to research how Louisiana students with Autism deemed high-functioning compare to national trends made by Brenda Cosse', seconded by Allison Rouse, abstention by Phil Wilson, passed without objection.

The final recommendation is for staff to gather data on children and young adults residing in Louisiana's Special Education Center to determine system breakdowns or demographical issues that might be leading to admissions and preventing their return into their communities.

MOTION PASSED. Motion for staff to gather data on children and young adults residing in Louisiana's Special Education Center to determine system breakdowns or demographical issues that might be leading to admissions and preventing their return into their communities made by Chasedee Noto, seconded by Erin Smith, passed without objection.

HEALTH/EDUCATION/EMPLOYMENT COMMITTEE – Patsy White

The committee requested staff to provide information on the impact of the Affordable Care Act on people with developmental disabilities.

The committee discussed the transition to Common Core State Standards with Stephen Osborn providing information on the Louisiana Department of Education's (LDOE) initiatives related to teacher training and the teacher toolbox online. The committee requested and Mr. Osborn agreed that the LDOE will provide information on the support structure for teachers of students with disabilities to implement Common Core Standards; training tools to help family members understand Common Core State Standards and how to provide assistance to their children; and LDOE's transition plan for students participating in LAA2 who have been socially promoted and lack the necessary academic skill sets to succeed in higher grade levels.

The Committee also discussed (as previously recommended) the need to advocate for maintaining the infrastructure that ensures students receive accessible instructional materials in a timely manner.

ACT 378 SUB-COMMITTEE – Sam Beech

Mark Thomas of OCDD shared how the state is using Medicaid matching funds for the Individual and Family Support (IFS) and Flexible Family Funds (FFF) programs. The issue of families who receive IFS and FFF receiving a 1099 was discussed. Council staff will issue a LaDDC News regarding the 1099 issue to let families know they need to keep receipts of how they are using these funds.

The committee also discussed (as previously recommended) the need to advocate for restoration of funding to the Office of Behavioral Health Consumer Care Resources Program.

COUNCIL MEMBER REPORTS

OFFICE OF AGING AND ADULT SERVICES (OAAS) – Hugh Eley

Hugh Eley reported an evaluation of the Community Choice Waiver by the federal government resulted in the highest quality rating mark of any waiver in Louisiana history.

The Louisiana Guardianship Program was moved back to DHH from the Governor's Office of Disability Affairs (GODA). Dr. Brackin was credited with the idea of using matching federal money to expand the contract and allow more people to be served while saving the state money.

OAAS did not get further funding for the Louisiana Lifespan Respite grant that is set to expire on August 22, 2013.

OAAS received approval from the Centers for Medicare and Medicaid Services (CMS) to add the Organized Healthcare Delivery System to the Community Choice waiver. This will allow waiver recipients to use a single provider for numerous services.

Long Term Personal Care Services expects to begin implementation of the Electronic Care Plan in November, which will greatly improve how quickly people receive services. The self-direction option will be available in early 2014.

GOVERNOR'S OFFICE OF ELDERLY AFFAIRS (GOEA) – Margaret McGarity

Margaret McGarity reported the Area Aging Disability Resource Centers are assisting anyone on Medicare Part D with the open enrollment that began October 15th and ends December 7th.

GOEA is working with OAAS on the Lifespan Respite Program. The Louisiana Answers website includes information and links on respite.

GOVERNOR’S OFFICE OF DISABILITY AFFAIRS (GODA) – Brandon Burris

Brandon Burris shared information on the Inclusive Arts Contest, agenda items for the next Governor’s Advisory Council on Disability Affairs (GACDA) meeting and the increase in constituent calls to his office. GACDA is still accepting applications for membership.

OFFICE OF PUBLIC HEALTH (OPH) – Sue Berry

Sue Berry introduced Demetra Dantzler, a Southeast Regional Navigator, who shared information on the Affordable Care Act.

LOUISIANA DEPARTMENT OF EDUCATION –

Ms. Marcel distributed the report Stephen Osborn had provided.

LOUISIANA REHABILITATION SERVICES (LRS) – Mark Martin

Mark Martin shared a video developed by LRS.

LRS is reviewing and evaluating processes to determine things such as whether people are falling through service gaps; recipients of services are ready for job placement; etc.

The Louisiana Workforce Commission is merging the Unemployment Insurance Program and the Office of Workforce Development to ensure that when someone files for unemployment they are also on LAWorks looking for a job.

Mr. Martin shared information on successes experienced by the Employment Model Initiative and collaborative work with school systems hiring transition specialists to support students with disabilities transitioning from high school to employment.

BUREAU OF HEALTH SERVICES FINANCING (BHSF) – Lou Ann Owen

Lou Ann Owen highlighted data in the written report.

Ms. Owens shared that the Self-Direction Advisory Committee expressed overall satisfaction and made recommendations to have a Direct Support Worker registry and better access to (printed) training materials.

Expansion of the Coordinated System of Care Waiver opportunities to additional regions has not been decided and will be based upon the numbers and feedback from Magellan

AFTER LUNCH PRESENTATION

MANAGED LONG-TERM SUPPORTS AND SERVICES – Ruth Kennedy, Director, Bureau of Health Services Financing

Ms. Kennedy provided an overview of CMS guidelines and principals used for Managed Long-Term Supports and Services.

HUMAN DEVELOPMENT CENTER (HDC) – Phil Wilson

Phil Wilson reported HDC received the Louisiana Deaf-Blind Technical Assistance grant from the Governor's Office of Homeland Security and Emergency Preparedness (GOHSEP). The grant was formerly at the Department of Education. HDC hopes to work very closely with DOE and the main focus during the first year of this five year grant project is to improve the identification of children, especially young children, who are deaf-blind.

HDC is working with Families Helping Families of Jefferson and the LA Parent Training and Information Center (LaPTIC) to plan, co-fund and implement the Inclusion Matters Conference scheduled for June 5-7, 2014 in New Orleans.

The Louisiana School Psychology Internship Consortium is being cancelled as the Department of Education is not continuing funding of the project.

ADVOCACY CENTER (AC) – Stephanie Patrick

Stephanie Patrick reported Medicaid is moving forward getting Applied Behavioral Analysis (ABA) providers licensed and certified to provide children (ages 3-21) access to these services. For children younger than three years old ABA therapy will be available through EarlySteps.

The AC is concerned about the length of time and number of people on the NOW waiting list and changes to the Medicaid Purchase Plan.

OFFICE FOR CITIZENS WITH DEVELOPMENTAL DISABILITIES (OCDD) – Laura Brackin and Mark Thomas

Laura Brackin announced her resignation from DHH effective November 1st and introduced Mark Thomas as the OCDD Interim Assistant Secretary.

Mr. Thomas reported on OCDD's Systems Transformation Initiative and the Stakeholder meetings and plans.

OCDD is taking steps to support individuals on self-direction in meeting the requirements for medication administration by direct support workers.

Mr. Thomas shared a few of OCDD's internal initiatives, including:

- Lifespan planning to ensure continuity of care throughout the service delivery system for people living in the community.
- Single point of entry across DHH, not just in DD services, with a no wrong door policy.
- Provider selection to help families select good qualified providers. For example, to inform families if providers have a specialty; experience serving persons with behavioral challenges; experience serving children with autism, etc. or provider report cards with staff retention, pay rates, etc.
- Service rates and filling gaps across a spectrum of disability services, whether early intervention, Flexible Family Fund, Individual and Family Support, waivers, or ICFs/DD, as well as filling gaps as people transition from one waiver to another waiver, or one service setting to another setting.

UNFINISHED BUSINESS

None to be discussed.

NEW BUSINESS

None to be discussed.

PUBLIC COMMENT

None.

ANNOUNCEMENTS

The next Council meeting is January 15th and 16th. Orientation will be held on January 14th.

ADJOURNMENT OF BUSINESS MEETING

MOTION PASSED. Motion to adjourn made by Sam Beech, seconded by Val Hiser, passed without objection.